UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:14-cr-00206-MOC-DSC

UNITED STATES OF AMERICA,)	
)	
)	
)	
Vs.)	ORDER
)	
ELISEO MARTINEZ LOPEZ,)	
)	
Defendant(s).)	

THIS MATTER is before the court on defendant's Motion to Reconsider the Denial of Defendant's Section 1826(d) Motion to Dismiss. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order denying the motion in light of the government's concession that it will not oppose defendant's objection to the aggravated felony sentencing enhancement.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Reconsider the Denial of Defendant's Section 1826(d) Motion to Dismiss (#37) is **DENIED**. The court will not, however, apply the aggravated felony sentencing enhancement at sentencing.

Signed: October 22, 2015

Max O. Cogburn Jr United States District Judge